Working together to improve school attendance

Being in school and having the best attendance possible underpins all the many benefits of school for your child, such as their learning, wellbeing and wider development.

For some children, attending school every day will be harder than for others. This is why schools, and local councils in some cases, are committed to working together with families to solve problems and support your child's school attendance. This guide covers two areas:

- Parents' responsibilities[1] for school attendance and what you need to do when your child needs to be absent.
- How schools and local authorities will work with you to support your child's attendance.

Parents' responsibilities

What are my responsibilities for my child's attendance?

As a parent, you are legally responsible for making sure your child gets a suitable fulltime education, usually from the age of 5 to 16.

For most parents, this will mean making sure your child is in school every day except when:

- Your child is too ill to go to school.
- You have permission for a leave of absence from your child's school for them not to attend. You should only ask for this in exceptional circumstances. Generally, a holiday would not be classed as an exceptional circumstance.
- Your religious body has a day especially for religious observance.

There are also some other circumstances. For example, where:

- Your local council is responsible for arranging your child's transport to school and it is not available on that day or has not been provided yet.
- Your child attends an independent school that is beyond walking distance from home and your local council has not arranged for your child to board at or near the school or attend another school closer to home.
- Your child does not have a permanent address and you are required to travel for work. (This exception only applies if your child attends their usual school or

[1] The meaning of 'parent' in relation to a child includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996.

another school where you are staying as often as possible. This must be 200 half days or more a year if they are aged 6 or older.)

Whilst some absence is unavoidable, it is important that your child is in school every day they can be for their learning, wellbeing and development.

If my child needs to be absent from school, what do I need to do?

You should contact their school as early as possible on the first day of absence to explain why. If you do not, your child's school will contact you on the first morning of their absence to find out why your child is not in school.

All parents can request a 'leave of absence' for their child which gives them permission to be absent from school. Your child's school has the final say over whether to approve the request and for how long your child can be absent. Generally, a leave of absence would not be allowed for a holiday.

My child has a short term illness. Do they have to go to school, and will I be penalised if they don't?

If your child is ill, read the NHS's 'Is my child too ill for school?' advice to help you decide whether they can go to school.

If they are too ill to attend, you are not breaking the law and will not be penalised. You should let the school know as soon as possible on the first day of absence and schools must record such absences as authorised. If the absence due to illness is ongoing or frequent you should speak to your child's school to see what support can be put in place.

Do I need to provide medical evidence to support my child's illness related absence?

If your child is too ill to attend school, schools must record these absences as authorised. In the majority of cases medical evidence is not needed, but schools may ask you for evidence where:

- Your child is regularly absent because of illness, to assess how they can help your child by putting the right support in place.
- In a small number of cases where they have reason to believe your child was not too ill to attend and a conversation cannot resolve the issue.

If you are asked to provide evidence this does not need to be a letter from your doctor or consultant, and doctors will not usually provide such letters. It can, instead, be appointment cards, prescriptions, or notes of previous consultations (including from the NHS App).

A lack of written evidence must not prevent the right support being put in place or the absence being authorised if you can demonstrate your child was, or is, unable to attend,

or is awaiting treatment. If you are asked for evidence you cannot provide, a conversation with the school can help to resolve the issue.

What should I do if my child needs a dental or medical appointment in school time?

To avoid disruption to your child's attendance, medical and dental appointments should not be booked during the school day whenever reasonably possible. When they are, you should ask the school in advance for a leave of absence and collect them as close to the time of the appointment as possible and return them to school for the rest of the school day afterwards.

Accessing support to help my child attend school

My child is struggling to attend because of an issue in school. Who can help us?

The first step is to talk to your child's school about why your child is missing school, and what help the school can give. You should still do everything you can to help your child attend as much as possible whilst waiting for help and support to be put into place.

Information on who in school you can contact for help, including the school's senior leader responsible for attendance, can be found in the school's attendance policy on its website or available in hard copy from the school. The school and local council are expected to follow the expectations set out in the guidance document Working together to improve school attendance.

If your child is struggling to attend because of something that is happening at school, their school is expected to work with you (and your child if they are old enough) to overcome the issues. You should agree a set of joint actions with the school that you have all developed together to support your child. This will often include a commitment to support you and your child by working together or help you to access support services, in exchange for an agreement from you (and your child if they are old enough to understand) to take part in the support offered. The school will also arrange times for you to come together to review these actions and your child's progress.

Depending on the reasons for your child's absence, this may take the form of an action plan, an early help plan, or an attendance contract.

My child is struggling to attend because of an issue at home or getting to school. Who can help us?

Again, talking to the school should be your first step. It is expected to help you access the support you need, such as from a school nurse or local housing or transport team.

Your local council's school attendance team is expected to work with the school and provide access to the support you need if the issues you or your child are facing are beyond the remit of the school. If there are lots of reasons for your child's absence, local services are expected to work together to support you and your child. They are expected

to provide you with a single action plan and lead worker to help and support you. In most cases this will be a member of school staff, but it might be a member of local council or local healthcare staff.

In exchange, you are expected to agree and take part in accessing the support once it has been put in place. It is advisable to regularly meet with your child's school to review what is and isn't working, involving your child if possible. While waiting for help, you should still do everything you can to help your child attend as much as possible.

Accessing support for my child with long term illness or special educational needs and disabilities

My child has a long term illness, special educational needs or a disability that is impacting their attendance. What help is available?

If your child is regularly absent from school because of illness (regardless of whether it is mental or physical) or special educational needs or a disability, they have the same right to a suitable full-time education as any other child. You should work with your child's school to discuss the reasons and make sure the right support is in place. All schools are expected to provide support in these cases.

Schools are expected to:

- Work with you to consider adjustments to practice and policies to help your child attend, as well as a duty to make formal reasonable adjustments where your child has a disability. These could include adjustments to uniform, transport, routines, access to support or lunchtime arrangements.
- Ensure your child receives the right pastoral care and in certain cases consider a time-limited phased return to school where appropriate, for example for those who have anxiety about school attendance.
- Work jointly with other services, including your local council and health services.
- For pupils with a long-term medical condition – either physical or mental – schools are also expected to make attendance support a key feature of any individual healthcare plan. More information can be found in your child's school's policy on supporting pupils with medical conditions.

For pupils with Education, Health and Care plans schools must help ensure that the support set out in the plan is delivered.

To make this work, it is important that you are open and work with your child's school by sharing information. This will help ensure the right support is put in place to ensure your child's needs are met.

In most cases this will be sufficient, but no child should be out of school due to illness without appropriate education for more than 15 school days over a school year. Where additional support is needed, your local council is responsible for arranging alternative suitable fulltime (or close to) education for your child, as far as health needs allow.

If your child has an Education, Health and Care plan, we expect the school to inform the local council who is responsible for your child's plan if attendance falls. This is to ensure that they are aware of the situation and to seek their support for your child where necessary.

Where can I get help if my child is too anxious to go to school?

Attending school usually helps to protect your child's mental health, for a range of reasons including giving them a chance to be with friends and to benefit from learning. However, some children can be anxious or worried about going to school, particularly around the start of the new year or joining a new school or class. It's normal for children to feel a little anxious sometimes.

Avoiding school can make a child's anxiety about going to school worse. It's good to talk about any worries they may have such as bullying, friendship problems, school work or sensory problems.

If their anxiety continues and becomes an attendance issue, you should speak to your child's school together with your child about why they are anxious and what can be done to help them.

If your child is still struggling and it's affecting their everyday life, it might be good to talk to your GP or school nurse. You can also find some useful advice from the NHS on anxiety in children and at Young Minds. These sites will help you work through likely reasons together with your child, what to do and how to make sure that you get the right support if there are more serious issues.

Getting help when support hasn't been provided, or hasn't worked

Support isn't working because my child's current school place is not suitable for their needs. What can I do?

Your first step is to discuss it with your child's school to see if extra support can be given. If you are still having problems, you can apply for a place at a different school or schools. Your local council will be able to provide details on how to apply.

It is important that you don't take your child out of their current school in the meantime – your application for another school may not be successful, for example, if it is full for that particular year group.

If your child has an Education, Health and Care plan then it is helpful to discuss the best way forward with both your school and your local council's SEND team.

What action can you take if your child's current school place is not suitable for their needs?

If you have applied for a place at a school and it does not offer your child a place, you have the right to appeal this decision. See Advice for parents and guardians on school admission appeals – GOV.UK (www.gov.uk).

Mainstream education isn't working for my child. Can I get help with an alternative provision?

Your first step is to discuss with your child's school to see if extra support can be given.

If you are still having problems you should discuss them with your local council. In many cases additional support can be provided to help a child remain in mainstream school. In a small number of cases where a child would not receive a suitable, full-time education without alternative provision, your local council is responsible for putting that in place.

Where can I find help if my child's school or the local council have not delivered what they are expected to?

Your first step is to discuss it with school. Most issues can be resolved this way.

You can also contact your local council's school attendance support team. You should be able to find their contact details on the council's website or through your child's school.

Your local Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS) will also be able to offer advice and support.

If these steps don't succeed, you can make a formal complaint to the school or local council following their complaints procedure. All schools must have one and details can usually be found on the school website.

If you believe that the school did not handle your complaint correctly there are different processes of how to complain depending on your child's circumstances. If you do not believe your local council handled your complaint correctly you can make a complaint to the Local Government and Social Care Ombudsman (LGSCO) at www.lgo.org.uk once you have completed the council's complaint process.

Can my child's school force me to remove my child from school and home educate?

If your school has asked or is putting pressure on you to remove your child from school to home educate, this is known as off-rolling.

Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best interests of the pupil. This includes pressuring a parent to remove

their child from the school. While it may not always be unlawful, Ofsted and the Department for Education believe that off-rolling is never acceptable.

Elective Home Education should always be a positive choice taken by parents without pressure from their school.

If you believe your child has been removed from the school site and formal suspension/permanent exclusion procedures have not been followed, you should approach the head teacher in the first instance to discuss the matter. If you are not satisfied, you can take up the issue with the governing board and in the case of a maintained school, with the local authority, or in the case of an academy, the trust. If you remain dissatisfied, you are able to write to the Department for Education. You may also wish to consult the Coram Children's Legal Centre.

Formal and legal action where voluntary support hasn't worked or isn't taken up

Will my local council take legal action against me?

If your child is absent from school without permission or a valid reason, you are likely to be breaking the law. Where this happens, your child's school or your local council will speak to you to understand the reasons. If your child hasn't attended because they are struggling to, both your child's school and your local council are expected to put the right support in place to help you.

If you do not take part in that support, or it doesn't work because more structured formal support is needed, then your child's school or your local council may:

- Invite you to agree to an attendance contract. This is a formal action plan that sets out what you will do to improve your child's attendance and what your child's school and/or your local council will do to support this.
- Apply to the family court for an education supervision order to ensure you and your child receive advice, assistance and direction to make sure they receive a suitable full-time education.

If you do not make any efforts to improve your child's attendance or it is clear you have knowingly allowed your child to be absent without good reason – for example, taking your child on holiday in school time without permission – your local council may prosecute you to protect your child's right to a full-time education. Even during this process, you have the opportunity to accept and engage in voluntary support (such as an early help assessment) or formal support (such as an attendance contract or education supervision order) to prevent the case from going to court. If found guilty you may be given a parenting order, community order, a fine of up to £2,500 or in very exceptional circumstances a sentence of up to 3 months in prison.

When can I be given a penalty notice (fine) if my child misses school?

From the 2024-25 school year, there will be new national rules on how penalty notices for school absence are used. The new rules mean that all schools must consider giving a penalty notice to a parent when a child has missed 10 or more sessions (5 days) for unauthorised reasons within a 10 school week period, and support to help your child be in school is not appropriate. If support would help improve attendance, that should be provided by the school or local council rather than a penalty notice. You cannot be given a penalty notice for absence that is authorised by the school (such as illness).

A penalty notice will usually only be issued in cases of holidays taken in school time, or for other reasons where the school or council is trying to help attendance to improve and you are not engaging in that support or it is not working and they believe that a penalty notice would improve attendance.

Your school or council can still decide to issue a penalty notice or proceed to prosecution for less amounts of absence than 10 sessions (5 days) if support is not appropriate and they think it would improve attendance. For example, if parents are often taking shorter holidays in school time to deliberately avoid a fine.

When may I be given a ‘notice to improve’ instead of a penalty notice?

In some cases, your school or local council may choose to give you a ‘notice to improve’ instead of a penalty notice once the national threshold of 10 sessions (5 days) of unauthorised absence is met. This is a formal written warning that, unless attendance significantly improves, you will be issued with a penalty notice. This is to give you another chance to work with the school to improve your child’s attendance. A ‘notice to improve’ will not be given if you take a holiday in term time without permission.

How much could I be fined if my child misses school? How many penalty notices can I get?

From the 2024-25 school year, the fine for school absence penalty notices across the country will be £80 if paid within 21 days, or £160 if paid within 28 days. If you do not pay the fine you may be prosecuted in court.

If a parent receives a second penalty notice for the same child within any three-year period, the charge will be a flat rate of £160; there will be no reduction if paid within 21 days. Penalty notices for absence before the 2024-25 school year do not count.

A parent cannot receive more than two penalty notices for the same child within any three-year period. This is because it is clear that previous penalty notices have not worked. Once this limit has been reached, another action like a parenting order or prosecution will be considered. Penalty notices for absence before the 2024-25 school year do not count in this limit.

Glossary

Attendance action plan – an informal agreement between you, your child if they are old enough to understand, their school and sometimes your local council about what actions supporting your child will take to improve their attendance.

Community order – an order that can be made by a Court after you have been found guilty of knowingly failing to secure your child's regular attendance rather than sending you to prison. This may include requirements for you to take part in certain activities or observe certain rules.

Early help assessment – a voluntary assessment of what you and your family need help with to allow your child's school and/or your local council to put the right support in place or help you access the right services.

Education supervision order – an order that can be made by the Family Court to require a local council to advise, assist, and direct you and your child so that they receive suitable full-time education. This is not a criminal conviction, but persistently breaching the council's directions can lead to prosecution.

Leave of absence – permission given by your child's school for them to be absent from school for a specified period of time. You should write to the head teacher and ask for a leave of absence before the time your child needs to be absent from school. They will only be agreed to in exceptional circumstances, and not generally for holidays.

Attendance contract – a formal signed agreement between you, and your child's school and/or your local council agreeing what actions you will take to improve your child's attendance and what the school/council will do to support you in this.

Parenting order – an order that can be made by a Court after you have been found guilty of failing to secure your child's regular attendance. You will be required to take part in certain activities or observe certain rules.

Regular attendance – attending school every day that the school is open in line with the school rules apart from in a small number of allowable circumstances.

School attendance support team – the team in your local council who can help you with your child's attendance.

Special educational need (SEN) – A child has SEN if they have a learning difficulty or disability which means that they need extra or different help from that given to others of the same age in mainstream schools. If the school has identified your child as having SEN, they will have discussed that with you.